State of Alaska
FY2010 Governor's Operating Budget

Department of Environmental Conservation

Department of Environmental Conservation

Mission

Protect human health and the environment.

Core Services

- Develop and enforce standards for protection of the environment.
- Provide controls and enforcement for the prevention and abatement of pollution to the environment.
- Provide controls and enforcement to protect citizens from unsafe sanitary practices.

End Result	Strategies to Achieve End Result
A: The Environment is Protected. Target #1: Reduce the impacts of new and historical pollution to land and water. Status #1: 62% of the State's polluted land and waterbodies have been restored for public use as of the end of FY 2008, a 3.6% increase from FY 2007. Target #2: All municipal solid waste facilities are authorized by the Department of Environmental Conservation. Status #2: While 100% of Class I and Class II municipal solid waste facilities within Alaska have the required authorization from the State to operate, less than 25% of Class III facilities have been authorized, showing a significant area of need. Target #3: The volume of oil spilled from regulated facilities and vessels in Alaska that are required to have approved contingency plans will not exceed 10% of the total volume of oil spilled. Status #3: Less than 4% of the total volume of oil spilled in FY 2008 was from regulated facilities and vessels with approved contingency plans.	**A1: Contain and Cleanup Pollution in the Environment.** Target #1: 98% of new oil and hazardous substance spills are cleaned up or are in monitoring status. Status #1: Over 99% of new spills in FY 2008 were cleaned up or are in monitoring status. Target #2: 25% of polluted waterbodies have active stewardship, protection and restoration activities each year. Status #2: In FY 2008, 39% of polluted waterbodies had active stewardship, protection and restoration activities, a 9% increase from the previous year. **A2: Control Pollution to the Environment.** Target #1: For communities that have vehicle Inspection and Maintenance (I/M) programs, 95% of vehicles are found to be in compliance with tailpipe emission requirements. Status #1: Over 95% of the vehicles inspected for tailpipe emission compliance, known as the I/M program, were found in compliance in FY 2008, a 5% compliance improvement in two years. Target #2: 100% of DEC permit-holders are current and in compliance with permit requirements. Status #2: 73% of water facility, water quality and air quality permit-holders are current and in compliance with permit requirements. **A3: Enforce Pollution Controls.** Target #1: 100% of criminal violations are investigated and successfully resolved. Status #1: 54% of environmental criminal crimes that took place in FY 2008 were successfully investigated

	and resolved within the same fiscal year. Target #2: No violations are found during inspections of regulated/permitted facilities and operators. Status #2: 80% of environmental plan/permit holders were without violations in FY 2008.
End Result	**Strategies to Achieve End Result**
B: Citizens are Protected. Target #1: Keep all unsafe food out of the marketplace. Status #1: In FY 2008, over 56,000 pounds of dairy, seafood and retail foods were detained. Target #2: No days when air is unhealthy for sensitive groups. Status #2: The number of days the air is unhealthy for sensitive groups remains less than two weeks a year. Target #3: 100% of the population served by a public water system (PWS) is served by systems in compliance with health-based standards. Status #3: During FFY 2008, 94% of the population served by public water systems was served by those in compliance with health-based standards. Target #4: 100% of serviceable rural Alaska homes are served by safe and sustainable sanitation facilities. Status #4: The Village Safe Water Program has seen an annual average increase of 2.5% for serviceable rural Alaska homes served by safe and sustainable sanitation facilities over the past nine years; nearly 90% being served by the end of FY 2008.	**B1: Reduce Health Related Needs** Target #1: 2.5% increase in rural sanitation health related deficiencies met each year. Status #1: Due to the continuing increase in rural sanitation health related deficiencies each year and the continuous decline of funding available to meet these needs, there has been a continuous decline in the number of health related deficiencies met each year. **B2: Control Safe Sanitary Practices.** Target #1: 100% of permitted retail food establishments are inspected at least once each fiscal year. Status #1: In FY 2008, 35% of permitted retail food establishments were inspected. Target #2: Increase the number and types of tests performed to support public health assessments. Status #2: 81,721 tests were performed by the Environmental Health Laboratory in FY 2008, a decrease from previous year but an increase in the types of tests performed. Target #3: 2% annual increase in the number of regulated systems that comply with water supply system operator certification requirements. Status #3: The operator certification program has seen a 5% increase in two years for the number of regulated systems that comply with water supply system operator certification requirements. **B3: Enforce Safe Sanitary Practices.** Target #1: 100% of inspected permitted retail food establishments are found to have staff with required food safety training and certification. Status #1: Approximately 75% of inspected permitted retail food establishments were found during inspection to have staff meeting food safety training and certification requirements.

Major Activities to Advance Strategies

- Develop and implement protective standards.
- Provide statewide support systems and information management.
- Provide assurances of safe sanitary conditions.

Major Activities to Advance Strategies

- Respond to, contain, and cleanup incidents of pollution to the environment.
- Provide effective and efficient permit and inspection programs.
- Enforce compliance fairly and consistently statewide.

FY2010 Resources Allocated to Achieve Results

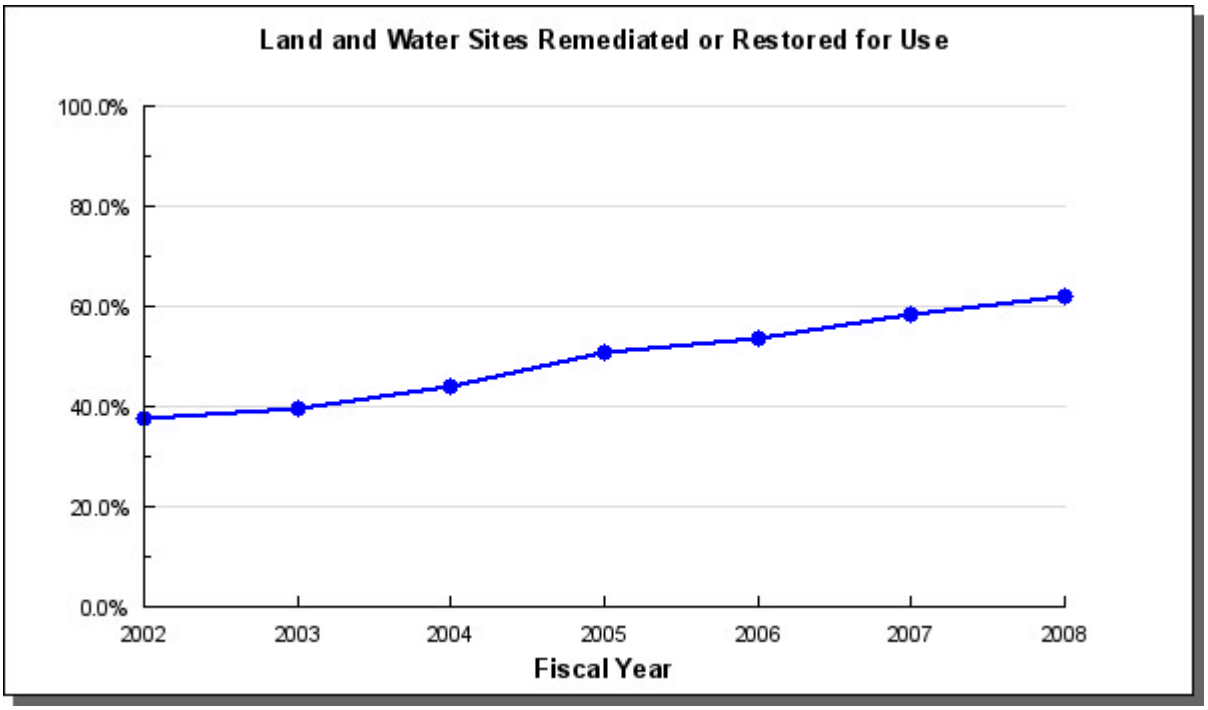
FY2010 Department Budget: $74,135,000

Personnel:	
Full time	532
Part time	1
Total	533

Performance

A: Result - The Environment is Protected.

Target #1: Reduce the impacts of new and historical pollution to land and water.
Status #1: 62% of the State's polluted land and waterbodies have been restored for public use as of the end of FY 2008, a 3.6% increase from FY 2007.



Methodology: This measure includes data related to Category 4 and Category 5 polluted waters that were restored each fiscal year as well as active contamination sites that were closed or restored for use during the same fiscal year.

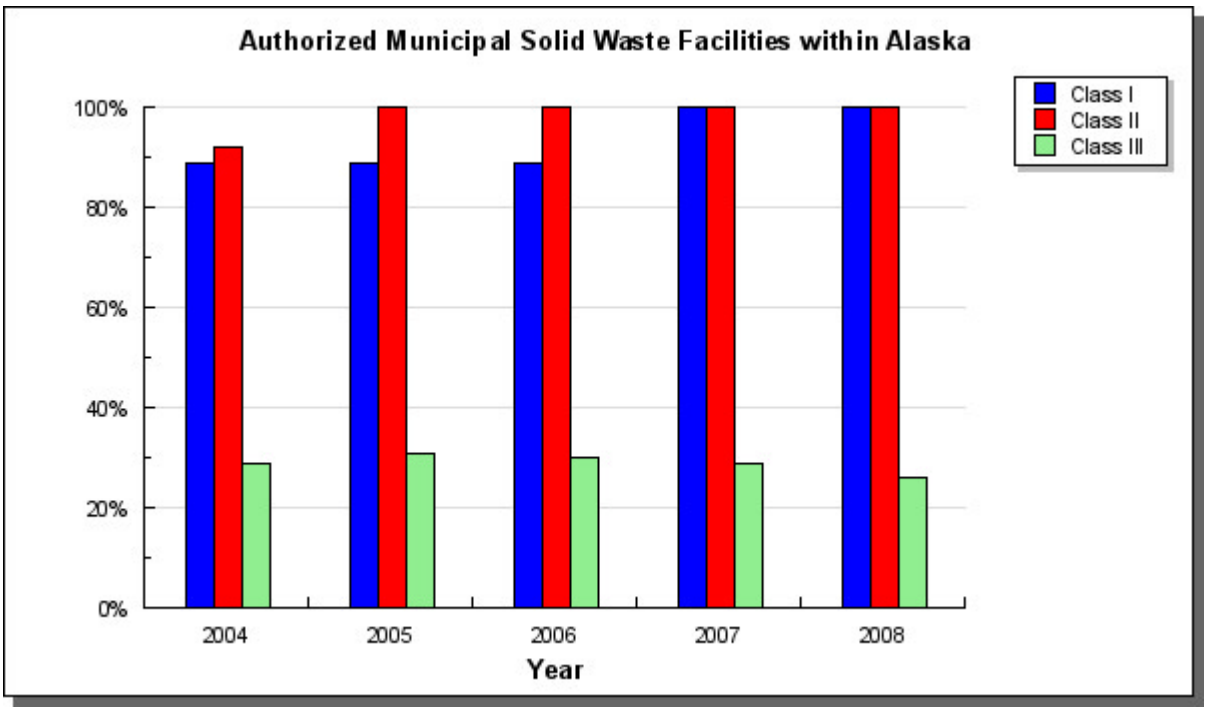
Analysis of results and challenges: The number of polluted waters has slowly declined since 2002. More waters have been restored than have become polluted during this period. The challenge in reducing the number of polluted waters is recognizing that pollution is a dynamic situation. Even as polluted waterbodies are being restored, new waterbodies may become polluted due to the growth in Alaska's population and the associated urban development. Pollution pressures are also being seen in rural areas that are heavily used for recreation, tourism and fishing. The key to making progress in reducing the number of polluted waters is to control pollution before it reaches the

environment through wastewater discharge permits, best management practices and other controls for non-point source pollution (i.e. small sources that are not controlled by permits such as motor boats).

The number of open sites contaminated with oil or hazardous substances has also declined while the overall number of active contaminated sites continues to grow as new historical sites are discovered and transferred from the Spill Response Program to the Contaminated Sites Program within the Department's Spill Prevention and Response Division. The complexity of existing projects and associated closures, the level of resources available to provide regulatory oversight and the cleanup itself continue to be challenges faced in closing and restoring sites for use by the public.

In FY 2008, there were 62 contaminated waterbodies and 2,445 open historical contaminated sites. 8 waterbodies and 312 historical contamination sites were restored.

Target #2: All municipal solid waste facilities are authorized by the Department of Environmental Conservation.
Status #2: While 100% of Class I and Class II municipal solid waste facilities within Alaska have the required authorization from the State to operate, less than 25% of Class III facilities have been authorized, showing a significant area of need.

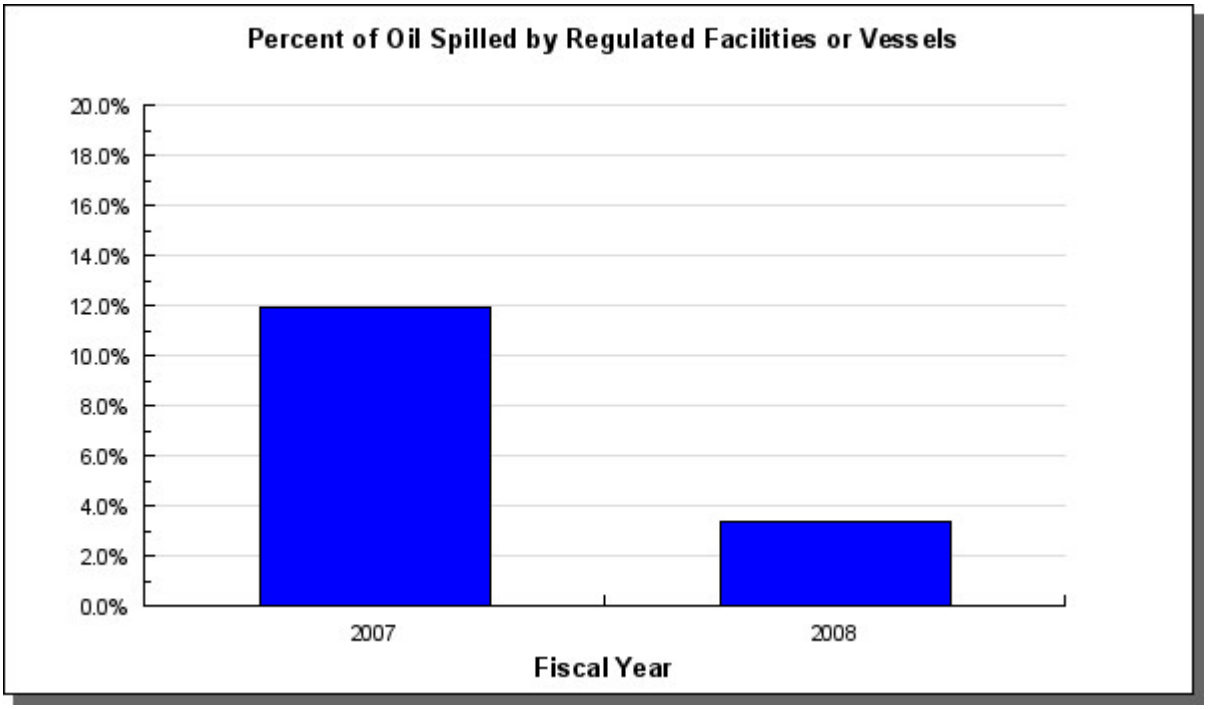


Methodology: The measure is calculated by dividing the number of authorized landfills in each classification by the total number of landfills in each classification.

Analysis of results and challenges: Municipal landfills are classified based on the average daily intake of waste and include Class I (greater than 20 tons/day), Class II (5 to 20 tons/day), and Class III (less than 5 tons/day) landfills. In FY 2008, the total number of municipal landfills included 7 Class I landfills, 13 Class II landfills, and 222 Class III landfills. Despite the relatively higher number of facilities, only about 10% of the municipal waste generated in Alaska is disposed in Class III landfills. All municipal landfills are required to have either a permit or other DEC authorization to ensure that the landfill's design and operational practices comply with regulatory standards. Compliance with the standards is what marks the difference between an approved landfill and an open dump.

As documented in the graph, all of Alaska's Class I and Class II landfills have current permits to operate, but only about 25% of Class III landfills are currently authorized. DEC is working to increase the rate of compliance for Class III landfills by simplifying the permitting process, which can be difficult for small communities with limited resources. However, implementing this simplified process has been delayed. That delay accounts for the slight decline in permitted Class III landfills as some permit holders are waiting for the simplified application process before renewing their expired permits.

Target #3: The volume of oil spilled from regulated facilities and vessels in Alaska that are required to have approved contingency plans will not exceed 10% of the total volume of oil spilled.
Status #3: Less than 4% of the total volume of oil spilled in FY 2008 was from regulated facilities and vessels with approved contingency plans.



Methodology: From the spills database extract total volume of oil spilled by fiscal year. Then extract total volume of oil spilled from a regulated component of a regulated facility. Calculates the % of the total oil spilled that spilled from regulated component.

Percent of Oil Spilled by Regulated Facilities or Vessels

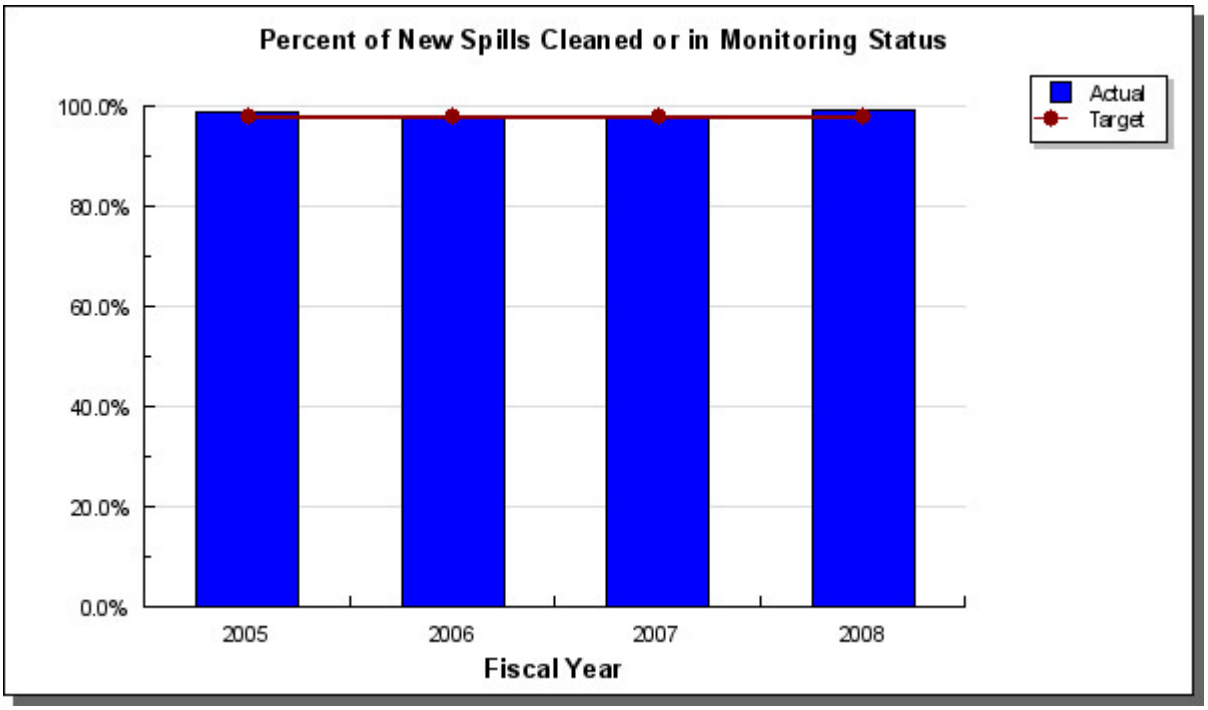
Fiscal Year	Gallons from Regulated	Gallons from All Spills	Percent from Regulated
FY 2008	8,099	237,223	3.4%
FY 2007	16,884	141,449	11.9%

Analysis of results and challenges: Industry components regulated by the Industry Preparedness Program (IPP) are found in oil exploration, production facilities, refineries, railroads, crude oil pipelines, terminals, tank farms and tankers, non-crude oil tank vessels and barges, and non-tank vessels. The regulatory authority IPP employs is through the requirement of industry oil discharge prevention and contingency plans. Contingency plans require the use of particular technologies and best practices to prevent spills of oil.

In FY 2007 the high percentage is attributed to spills that occurred at the Prudhoe Bay Oil Field, Kuparuk Oil Field and at the Milepost 178.6 of the Trans-Alaska Pipeline System. It was in FY 2007 that the Greater Prudhoe Bay Oil Field, the largest oilfield in the United States, was temporarily shut down.

A1: Strategy - Contain and Cleanup Pollution in the Environment.

Target #1: 98% of new oil and hazardous substance spills are cleaned up or are in monitoring status.
Status #1: Over 99% of new spills in FY 2008 were cleaned up or are in monitoring status.

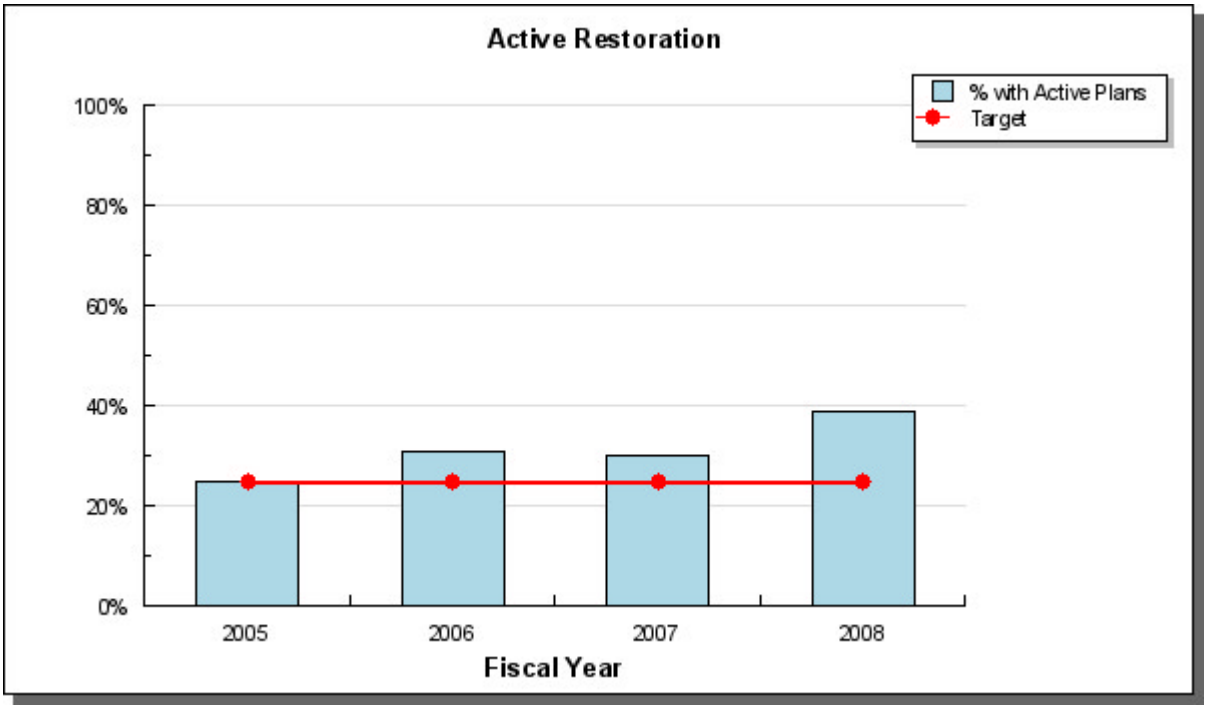


Methodology: The percent of new spills cleaned or in monitoring status is determined each year by dividing the number of new spills cleaned up by the total number of new spills.

Analysis of results and challenges: When spill cases are in monitoring status, they have been cleaned to a point that allows continued use of the spill site and no longer present a threat of contaminant movement to groundwater or to adjacent properties. Frequently, this will include removing and storing contaminated soils, which are monitored during field visits until soil treatment has reduced the contamination levels to that which meets acceptable state standards.

The FY 2008 data indicates over 99% of new spills are contained, cleaned up, or are in monitoring status.

Target #2: 25% of polluted waterbodies have active stewardship, protection and restoration activities each year.
Status #2: In FY 2008, 39% of polluted waterbodies had active stewardship, protection and restoration activities, a 9% increase from the previous year.



Methodology: Stewardship, protection and restoration projects may be conducted by grantees who have received funds through the Alaska's Clean Water Actions (ACWA) grant program, by contractors, by other State agencies, or by DEC personnel. The number of these projects is then divided by the number of total polluted waters as determined in the Integrated Water Quality Monitoring and Assessment Report to calculate the percentage of waters with active restoration projects.

Analysis of results and challenges: The number of stewardship, protection and restoration projects has remained relatively stable since 2005: 18 projects were completed in FY 2005, 22 projects in FY 2006, 21 projects in FY 2007, and 24 projects in FY 2008. Over the same period, the number of polluted waterbodies has declined from 71 polluted waters in 2005 to 62 polluted waters in 2008. Therefore, the percentage of polluted waters for which the state has ongoing projects has risen slightly over this period.

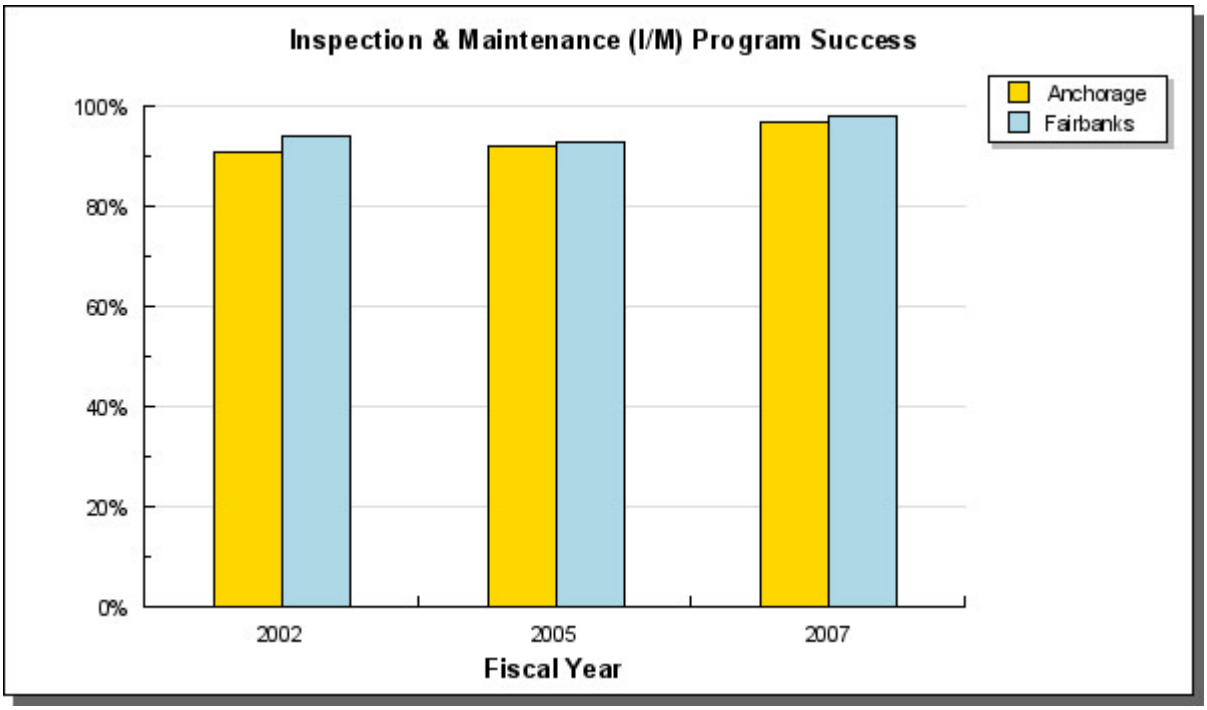
Prioritizing actions on threatened and polluted waters is done through the Alaska Clean Water Act (ACWA) program, which is a cooperative effort of DEC, DF&G and DNR. The ACWA program provides a consolidated approach for a complete assessment of the health and status of any particular waterbody. Likewise, it provides a means to coordinate the use of State funds so that they can be directed to those projects that truly represent the State's highest priorities.

The challenges for the ACWA grant program include maintaining the participation level of multiple agencies using diverse and changing funding sources to achieve the joint mission of protecting Alaska's water resources for the designated uses of drinking, fishing, and recreation. The original funding source (EPA grant) has been declining, which is expected to continue over the next few years. While each new funding source has a relation to water protection, only the EPA grant has the flexibility to apply to all water protection and restoration projects. General funds are not used to fund the ACWA grants, but are used as match to federal funding for some restoration projects accomplished by contractors, other state agencies and DEC.

A2: Strategy - Control Pollution to the Environment.

Target #1: For communities that have vehicle Inspection and Maintenance (I/M) programs, 95% of vehicles are found to be in compliance with tailpipe emission requirements.

Status #1: Over 95% of the vehicles inspected for tailpipe emission compliance, known as the I/M program, were found in compliance in FY 2008, a 5% compliance improvement in two years.

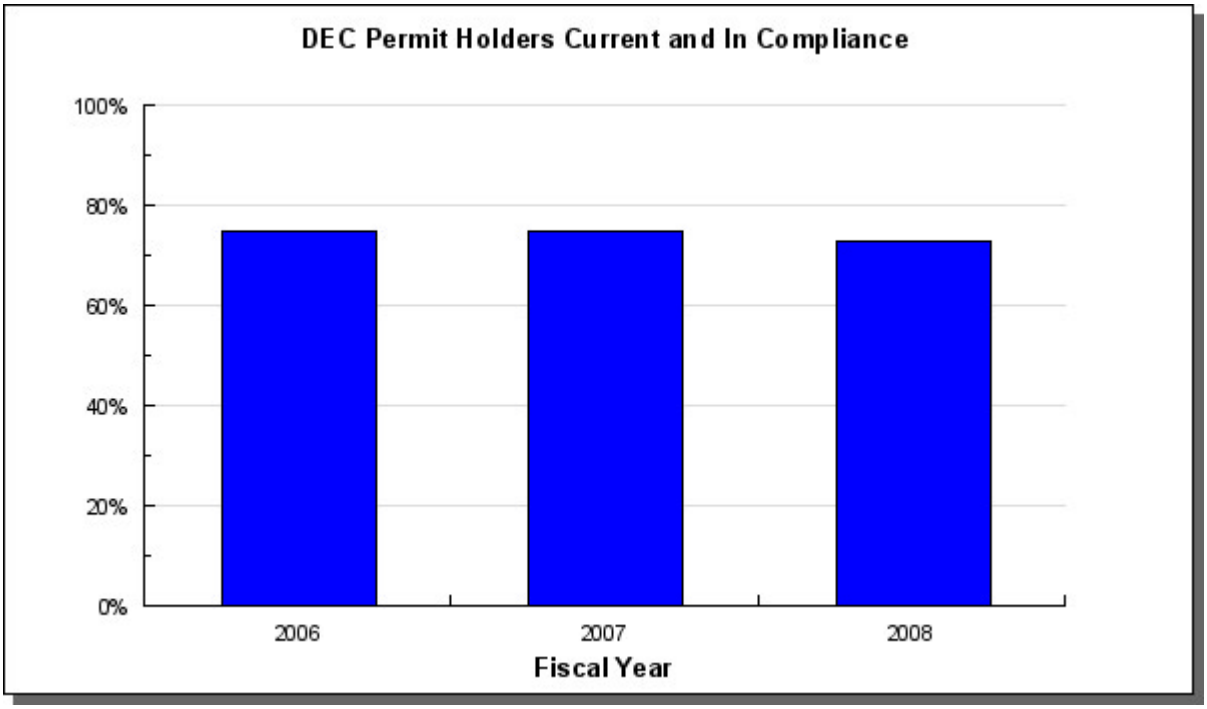


Methodology: A visual survey of in-use vehicles is conducted every other year in Anchorage and Fairbanks, recording the license plate and windshield information. Compliance rates are calculated from the data collected. The compliance rate is the ratio of the total number of vehicles found to be in compliance with the I/M program versus the total number of vehicles sighted during the survey that are required to meet the I/M requirements.

Analysis of results and challenges: Results indicate that efforts by local communities, the Department of Environmental Conservation and the Division of Motor Vehicles to educate and enforce I/M requirements are working. Compliance rates are at their highest levels since the start of the local programs in the mid 1980's. These compliance rates meet the commitment made in the State Air Quality Control Plan.

Challenges revolve around the continued necessity for education and enforcement as long as programs are in place. This is due to people moving in and out of I/M areas and the incentive for individuals to either evade or be out of compliance when costly vehicle emission component repairs are required.

Target #2: 100% of DEC permit-holders are current and in compliance with permit requirements.
Status #2: 73% of water facility, water quality and air quality permit-holders are current and in compliance with permit requirements.



Methodology: Data includes operator certifications, water discharge permits, Corps of Engineers 404 permits and air quality permits.

Analysis of results and challenges: The Department issues a variety of permits to help ensure operators are doing their part to help protect the environment and citizens from pollution. Each program monitors to ensure permit-holders are current and in compliance with the requirements of those permits through inspections and reviews of permit renewal applications.

For the water supply system operator certification program, which ensures operators have the qualifications necessary to meet the responsibility of safeguarding public health, a compliance rate of 62% was achieved in FY 2008.

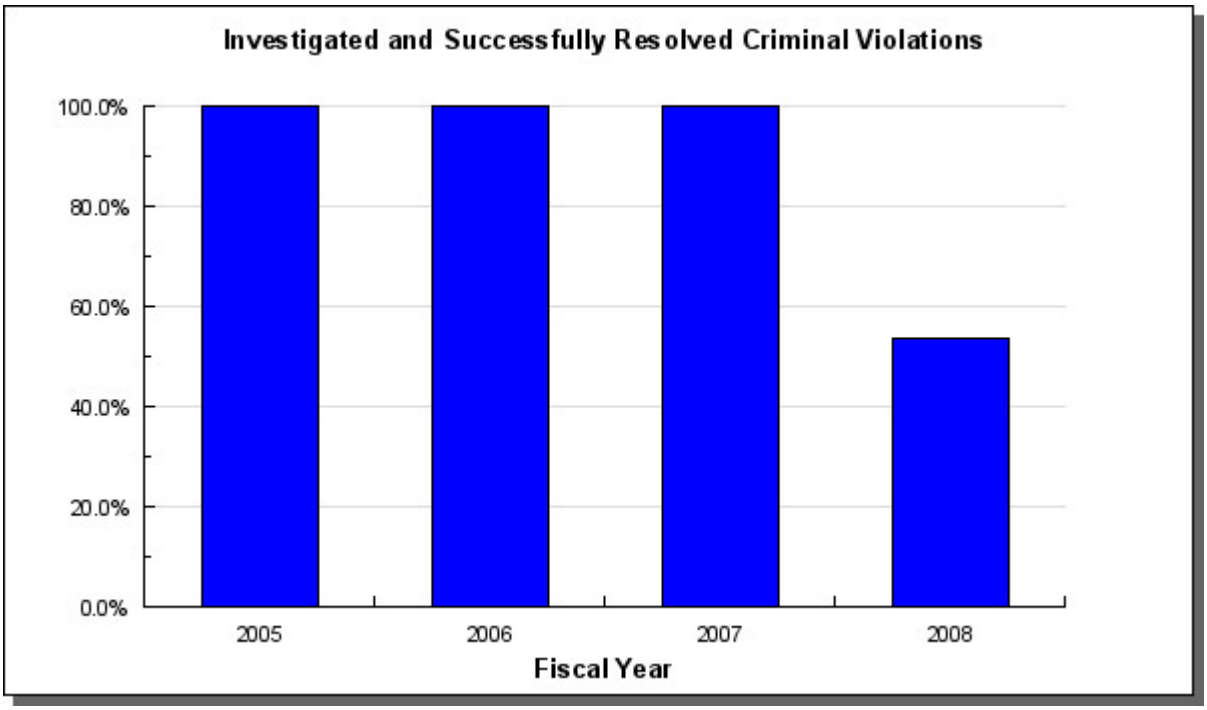
The water discharge program regulates permits for domestic wastewater, seafood processing, fish hatcheries, and log-transfer facilities. The Department is in the process of inheriting responsibility for these types of permits from the EPA and while compliance is currently 61%, that rate is expected to fluctuate as new permit holders and backlogged permits are inherited from the EPA in the coming years.

The Army Corps of Engineers dredge and fill ("404") permits ensure that wetland fill issued by the Corps do not negatively impact the water quality through provisions of the Clean Water Act. Many routine Army Corps projects are not reviewed since the agencies have agreed upon standard protective measures for them. Larger projects do require review, although the Department can waive review if impacts from them are considered minor. In FY 2008, 80% of these permits were certified.

The air quality permit program requires major and some minor stationary sources' compliance be tracked. Under federal compliance reporting, status reverts to "unknown" if compliance is not evaluated in the past two years for major sources or five years for minor sources. These sources are assumed to be in compliance for the purposes of this measure as the majority of the sources are minor sources not required to be evaluated under the state and federal compliance assurance agreement. In FY 2008, 91% were compliant.

A3: Strategy - Enforce Pollution Controls.

Target #1: 100% of criminal violations are investigated and successfully resolved.
Status #1: 54% of environmental criminal crimes that took place in FY 2008 were successfully investigated and resolved within the same fiscal year.



Methodology: Criminal violations investigated and successfully resolved by the Department's Environmental Crimes program.

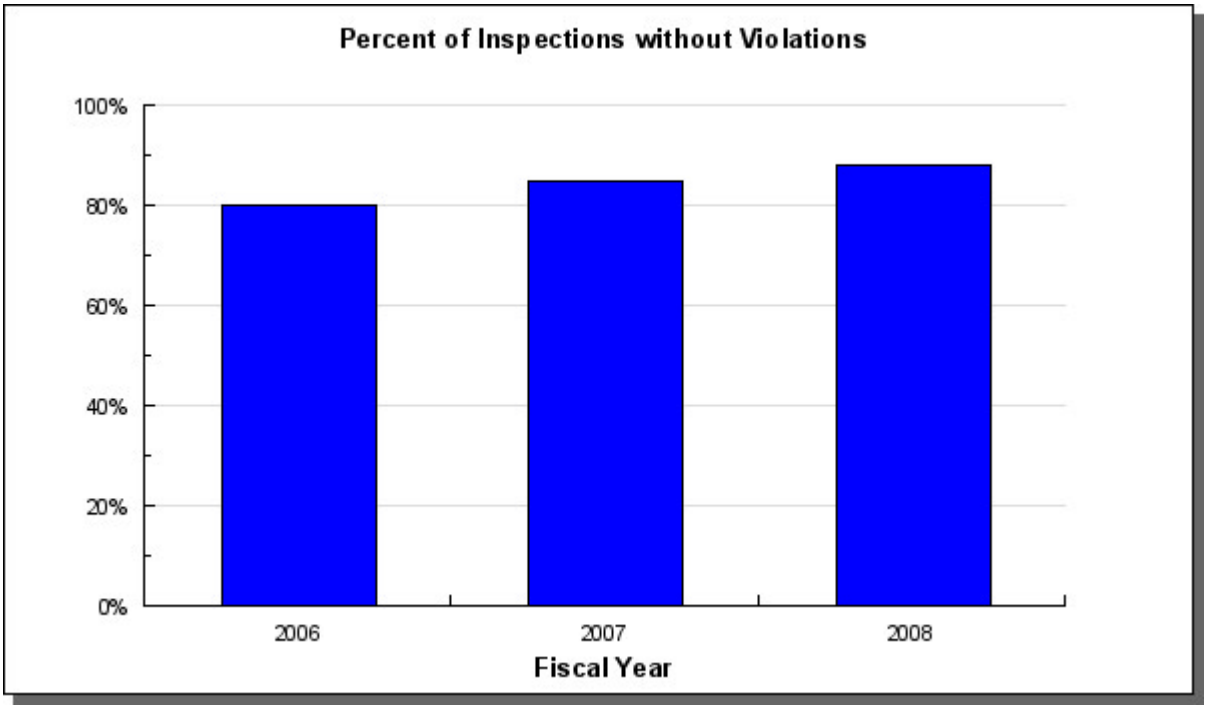
Analysis of results and challenges: Normally environmental violations are enforced by DEC's regulatory staff through administrative or civil remedies. However, when harmful conduct becomes intentional, knowing, or reckless, criminal enforcement must be considered.

The Environmental Crimes Unit is responsible for investigating the most complex and egregious violations of environmental law. Violators must be identified and sufficient evidence collected in order to successfully resolve an investigation. The effectiveness of this unit can be measured by its ability to successfully resolve a high percentage of reported criminal violations.

There were 13 criminal investigations initiated by the Environmental Crimes unit in FY 2008. Of those 13 investigations 7 have been resolved. The remaining cases were still under investigation at the end of the fiscal year, thus the percentage of criminal investigations successfully investigated and resolved for FY 2008 is at 53.8%.

Due to the complexities of many of these investigations, they are not resolved in the same fiscal year as reported, but will be resolved in the following fiscal year and will be reflected in the year the violation was received after being resolved. Therefore, previous year percentages continue to increase towards 100% as cases are resolved.

Target #2: No violations are found during inspections of regulated/permitted facilities and operators.
Status #2: 80% of environmental plan/permit holders were without violations in FY 2008.



Methodology: Data includes violations found through pesticide enforcement, vessel contingency plan reviews and drinking water facility inspections and follow-up requirements.

Analysis of results and challenges: Inspections are conducted by various programs within the Department to ensure permits, authorizations and regulations are being followed properly to minimize risk both to the environment and to people. When violations are found, a Notice of Violation is issued and items needing correction are often identified.

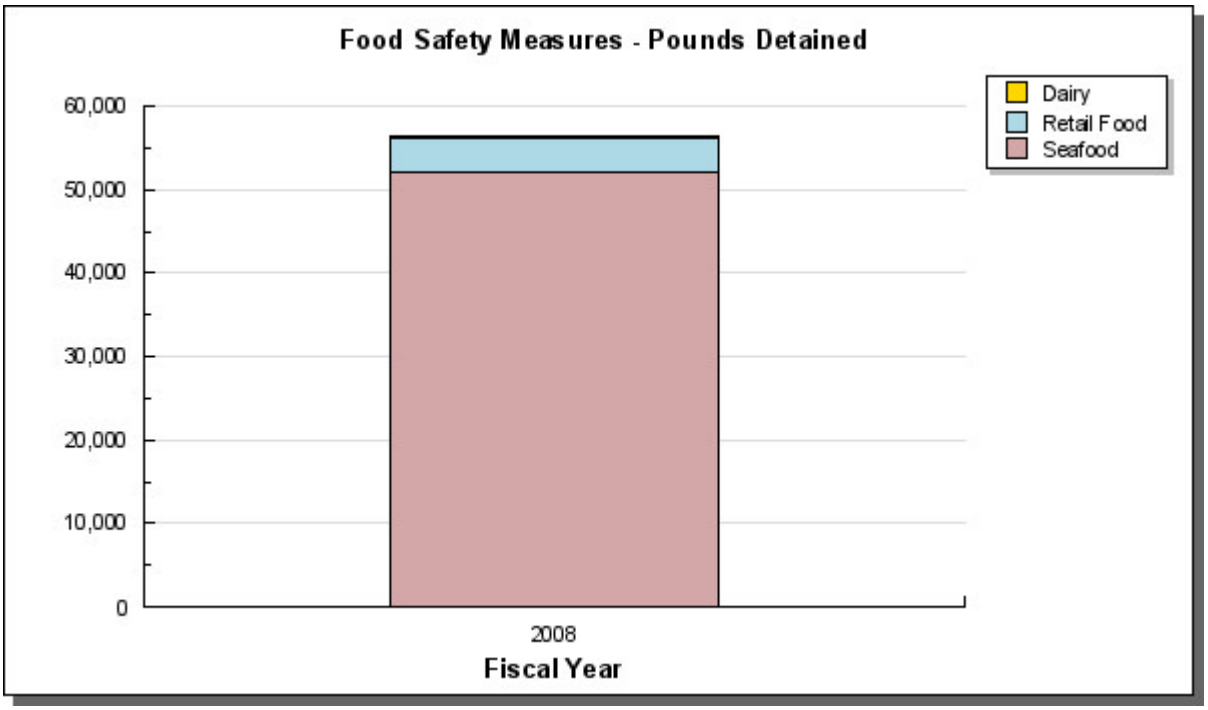
The Department inspections of pesticide use include the storage, sale, use, and disposal of the materials and containers and takes active enforcement actions when violations are found. Due to the nature of pesticides, strict compliance with the regulations and the product label is critical. Violators are individuals or facilities that are cited for a pesticide violation. In FY 2008, 3.6% of inspections resulted in a Notice of Violation being issued.

In the Spill Prevention and Response Division, facilities are required to have full contingency plans if they fall into one of the following categories: oil exploration and production facilities, refineries, railroads, crude oil pipelines, fuel terminals, crude oil tankers, non-crude tankers and barges. Vessels larger than 400 GRT (for example cruise ships with large cargo and fishing vessels) are also required to have contingency plans, but are subject to somewhat different requirements. Before approving a plan, the Department conducts a thorough review to ensure that all response requirements are addressed. During FY 2008 inspections, about 1% of non-tank vessels and 1.5% of regulated facilities were found to have major violations to their contingency plans.

The Drinking Water program supports technical assistance through training and approving the onsite inspectors, and also provides the service of completing sanitary surveys. However, if monitoring for contaminates, reporting, or sanitary surveys are not completed; the program is responsible for enforcement. Compliance and technical assistance actions are focused educational and information-oriented activities to increase Alaska public water system owners' and operator's abilities to more effectively operate their systems, thereby reducing the necessity for enforcement. In FY 2008, 2.4% of drinking water systems were issued a Notice of Violation.

B: Result - Citizens are Protected.

Target #1: Keep all unsafe food out of the marketplace.
Status #1: In FY 2008, over 56,000 pounds of dairy, seafood and retail foods were detained.



Methodology: Seafood pounds detained and retail food pounds detained are the sum of pounds reported detained or voluntarily destroyed as reported in the Food Safety and Sanitation Program "Digital Health Department" database.

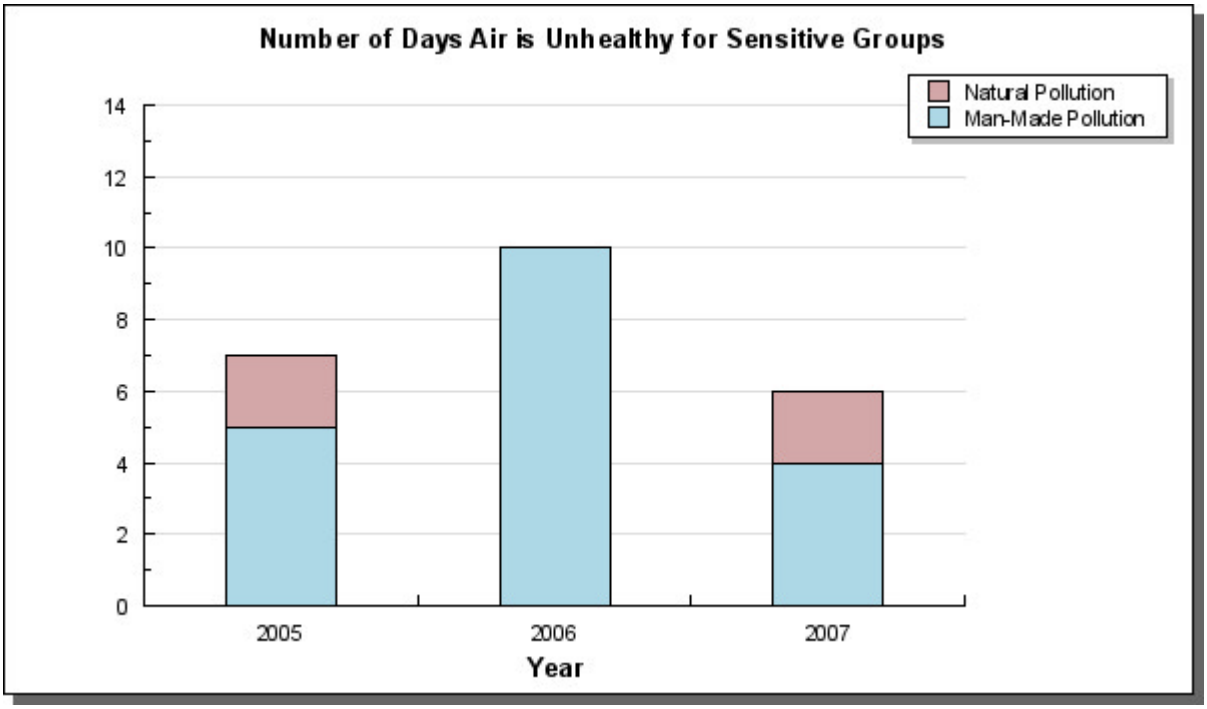
Food Safety Measures - Pounds Detained

Fiscal Year	Seafood	Retail Food	Dairy	Total Pounds
FY 2008	52,100	4,100	260	56,460

Analysis of results and challenges: Potentially unsafe food may be identified through inspections, complaints, routine testing of product or recalls. The measure only includes food which has been identified as unsafe. Unsafe food may be entering the marketplace due to infrequent inspections and lack of management control at the processor or establishment.

Reasons for unsafe food may include unapproved source, adulteration with contaminants or unapproved ingredients, improper processing, labeling or packaging. Depending upon the food safety problem, it may be possible to recondition the food, divert it to animal feed, or fix the labeling or packaging problem. If the problem cannot be fixed, the food is destroyed.

Target #2: No days when air is unhealthy for sensitive groups.
Status #2: The number of days the air is unhealthy for sensitive groups remains less than two weeks a year.



Methodology: Data is calculated using sampling information from samplers in the Municipality of Anchorage, City and Borough of Juneau, the Fairbanks North Star Borough and the Mat-Su Valley.

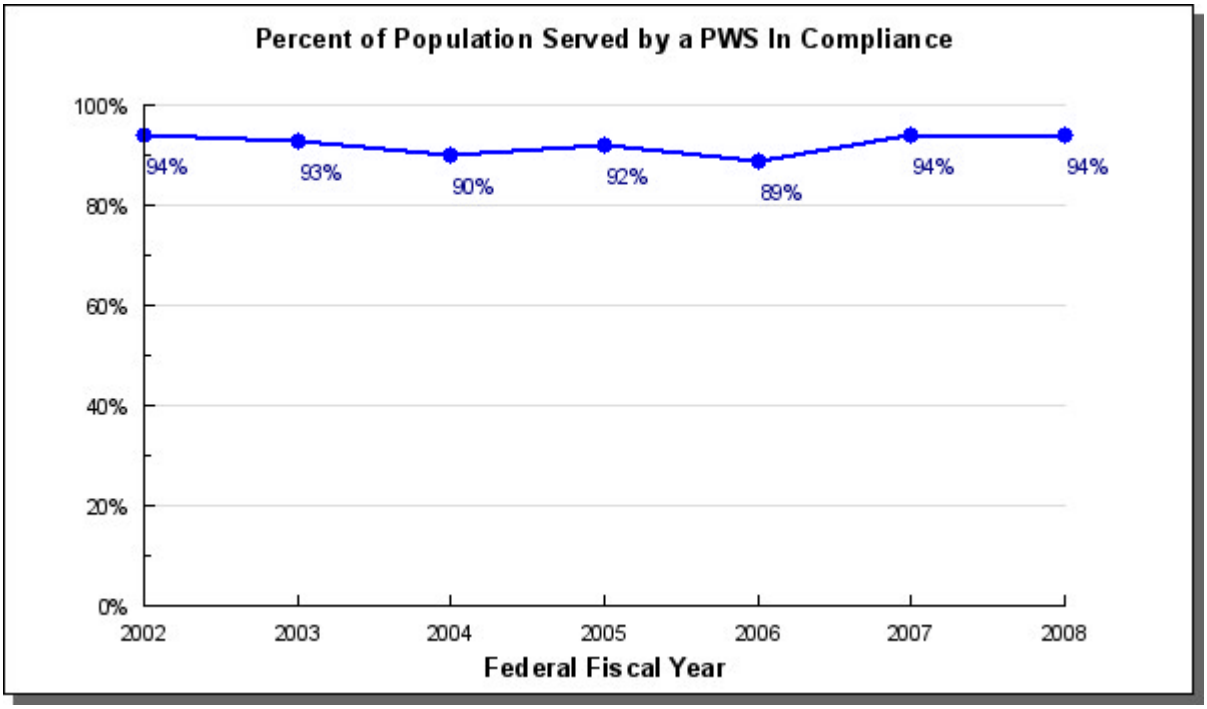
Analysis of results and challenges: The data for the 2008 calendar year will be available in March 2009.

DEC has been collecting ambient air data in most major communities around the state for over 25 years. Air monitoring is performed to ensure compliance with the National Ambient Air Quality Standards designed to protect public health. The U.S. EPA sets health based standards for particulate matter and gaseous pollutants. In the state, the pollutants of concern are carbon monoxide, fine particulate matter and coarse particulate matter. Violations of the standards occur when the concentration of air pollution rises above the limit set either through natural events or through emissions from man-made sources. Natural pollution includes smoke from wild fires (fine particulate matter called PM2.5), ash from volcanic eruption or windblown dust from gravel bars and other exposed gravel surfaces (coarse particulate matter called PM10). Man-made pollution is produced by exhaust from combustion processes, such as diesel and gas vehicle emissions and emissions from home heating systems like wood stoves.

The chart shows the number of days the air quality was unhealthy for sensitive groups, i.e. children, the elderly, and people with heart or lung disease, over the last 3 calendar years. In 2005 and 2007 the natural events were caused by windblown dust. Since 2000 no violations of the Carbon Monoxide (CO) standards have been recorded. More information about DEC air monitoring projects throughout the state, including PM10 and regional haze, can be found at http://www.dec.state.ak.us/air/am/index.htm.

Target #3: 100% of the population served by a public water system (PWS) is served by systems in compliance with health-based standards.

Status #3: During FFY 2008, 94% of the population served by public water systems was served by those in compliance with health-based standards.

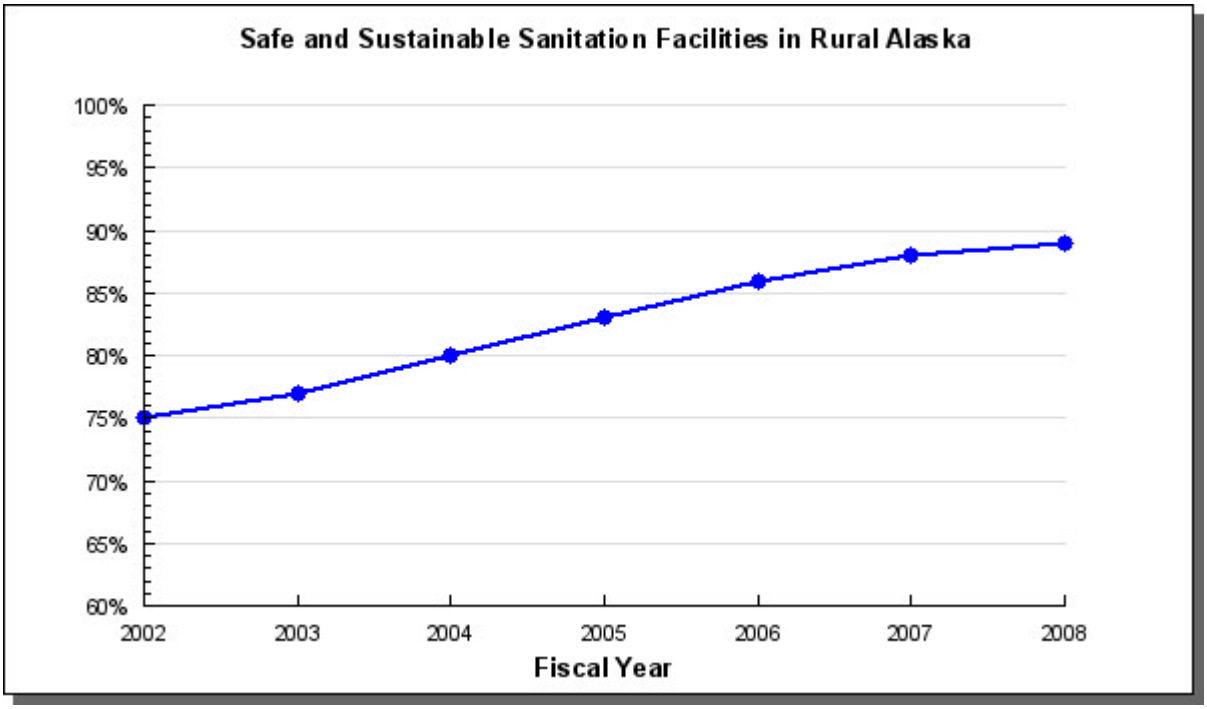


Methodology: The information reflected in this table is provided on an annual basis by the Environmental Protection Agency (EPA) after the end each federal fiscal year (typically October). The numbers being reported are the number of Public Water Systems that are in compliance with the health-based standards (Treatment Technique and Maximum Contaminant Level requirements).

Analysis of results and challenges: To address the threat of waterborne disease and provide for the protection of public health, the State of Alaska adopted the Safe Drinking Water Act (SDWA) requirements in 1978, making the Drinking Water Program responsible for implementation of the SDWA within the State. All federally regulated public water systems are required to be in compliance with the SDWA. Various health-based standards contained within the Act are designed to protect people from consuming unsafe drinking water. Health-based standards are EPA established limits for many chemical and radiological contaminants, called Maximum Contaminant Levels (MCLs), as well as microbiological contaminants. The MCL is an enforceable standard that all public water systems must meet in order to serve drinking water to the public. There are also various treatment technique criteria that public water systems must meet. Treatment techniques have to do with the way water is treated to make it potable and safe for human consumption. All of these criteria make up the health-based standards.

The Drinking Water Program offers a two-pronged approach of compliance assistance and enforcement, allowing staff to have appropriate oversight of the Public Water System (PWS) serving safe drinking water to as many people as possible. The increasing number of complex federal drinking water rules, such as Long Term 1 and 2 Enhanced Surface Water Treatment Rules, and the Disinfectant/Disinfections By-Products, Stage 2 Rule, challenges the resources of both the DW program and the PWS owners and operators. That accounts for the decrease in FFY 2006.

Target #4: 100% of serviceable rural Alaska homes are served by safe and sustainable sanitation facilities.
Status #4: The Village Safe Water Program has seen an annual average increase of 2.5% for serviceable rural Alaska homes served by safe and sustainable sanitation facilities over the past nine years; nearly 90% being served by the end of FY 2008.



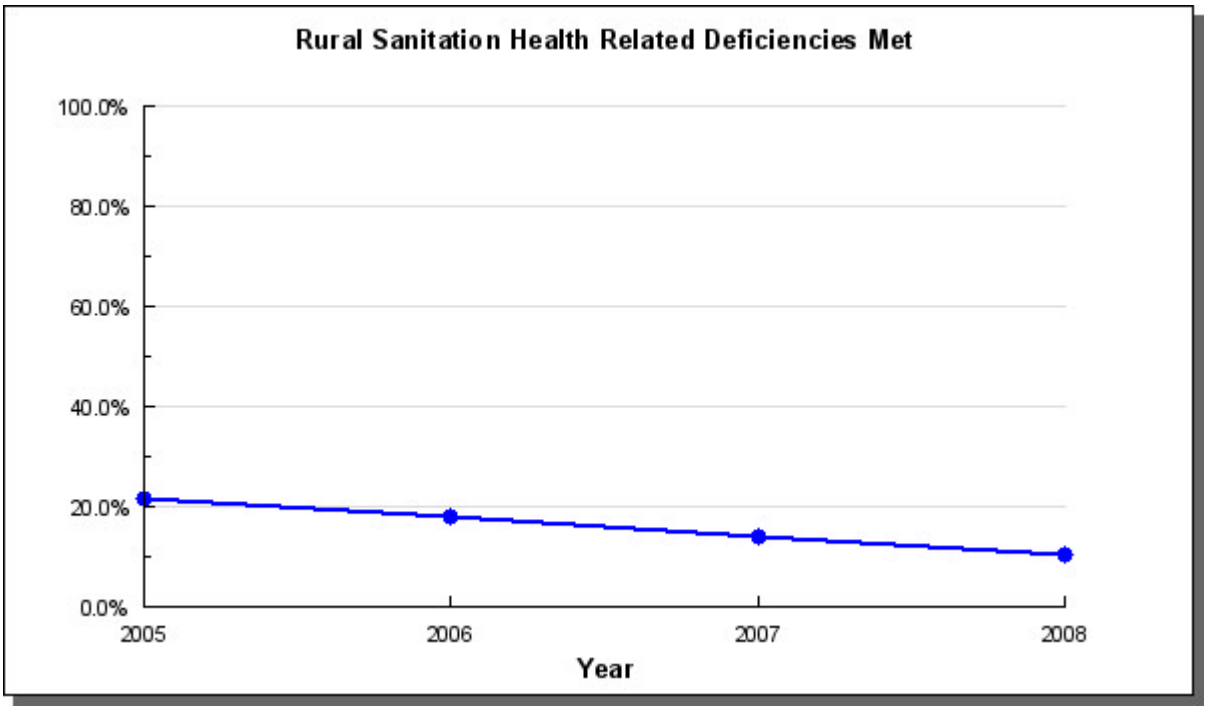
Methodology: Total number of serviceable housing units divided by total number of homes connected for service.

Analysis of results and challenges: By assisting communities plan, design and construct drinking water and wastewater infrastructure, the Village Safe Water (VSW) program is making progress in achieving its goal that 100% of serviceable rural Alaskan homes have access to safe and sustainable sanitation systems. A serviceable home is defined as a year-round occupied home located in an area where piped, closed haul or individual septic tanks/wells are feasible. A sanitation system is defined as sustainable if the community managing it has the financial, technical and managerial capacity to properly operate and maintain it over a period of time which equals or exceeds the system's design life.

Over the last nine years, the percentage of rural Alaska homes served by adequate sanitation systems has increased from 66% to 89%. This equates to an annual average increase of 2.5%. Contingent upon the availability of sufficient funding, the program's target is to maintain momentum at this rate.

B1: Strategy - Reduce Health Related Needs

Target #1: 2.5% increase in rural sanitation health related deficiencies met each year.
Status #1: Due to the continuing increase in rural sanitation health related deficiencies each year and the continuous decline of funding available to meet these needs, there has been a continuous decline in the number of health related deficiencies met each year.



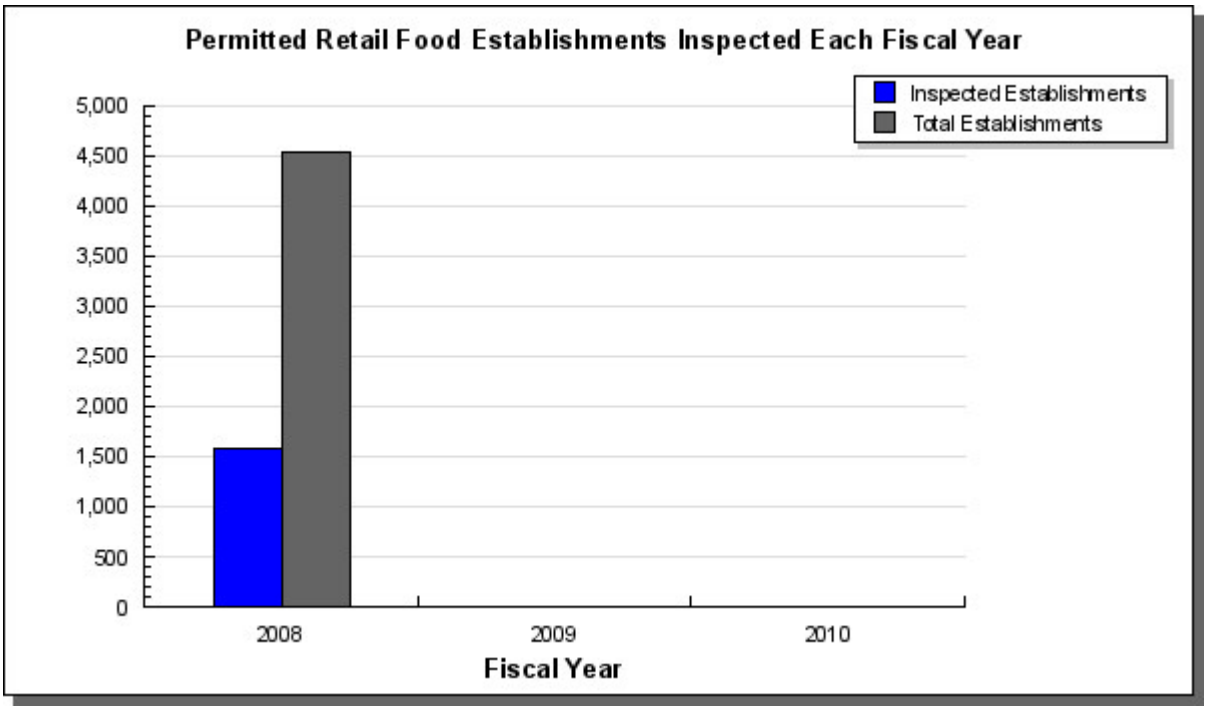
Methodology: Annual funding for sanitation improvements available divided by total health related need.

Analysis of results and challenges: Using State and federal funds, the Village Safe Water (VSW) program assists rural Alaska communities plan, design, and construct sanitation projects which address health related water and sewer deficiencies. Over the past several years, the estimated cost of addressing these deficiencies has increased significantly (due to inflation, regulatory changes and aging facilities), while funding has decreased.

In FY 2008, the total health related need was estimated at $592,300 while the total funding (State and federal) to meet those needs came in at $61,500. Therefore only 10% of health related deficiencies were met in FY 2008. In contrast, the total health related need in FY 2005 was $433,600 with total funding (State and federal) totaling $94,700, meeting approximately 22% of health related deficiencies in the state. Because of the increasing costs of these needs and the declining funding to meet those needs, this presents a challenge to increasing health related sanitation deficiencies met by an average of 2.5% annually. Achieving this goal will require sufficient funding, targeting resources to projects that will do the most good, and utilizing limited funding efficiently and effectively.

B2: Strategy - Control Safe Sanitary Practices.

Target #1: 100% of permitted retail food establishments are inspected at least once each fiscal year.
Status #1: In FY 2008, 35% of permitted retail food establishments were inspected.



Methodology: Sum of permitted food establishments and sum of permitted food establishments inspected once as reported in the Food Safety and Sanitation Program's "Digital Health Department" database. Note - does not include an approximate 500 temporary food establishments.

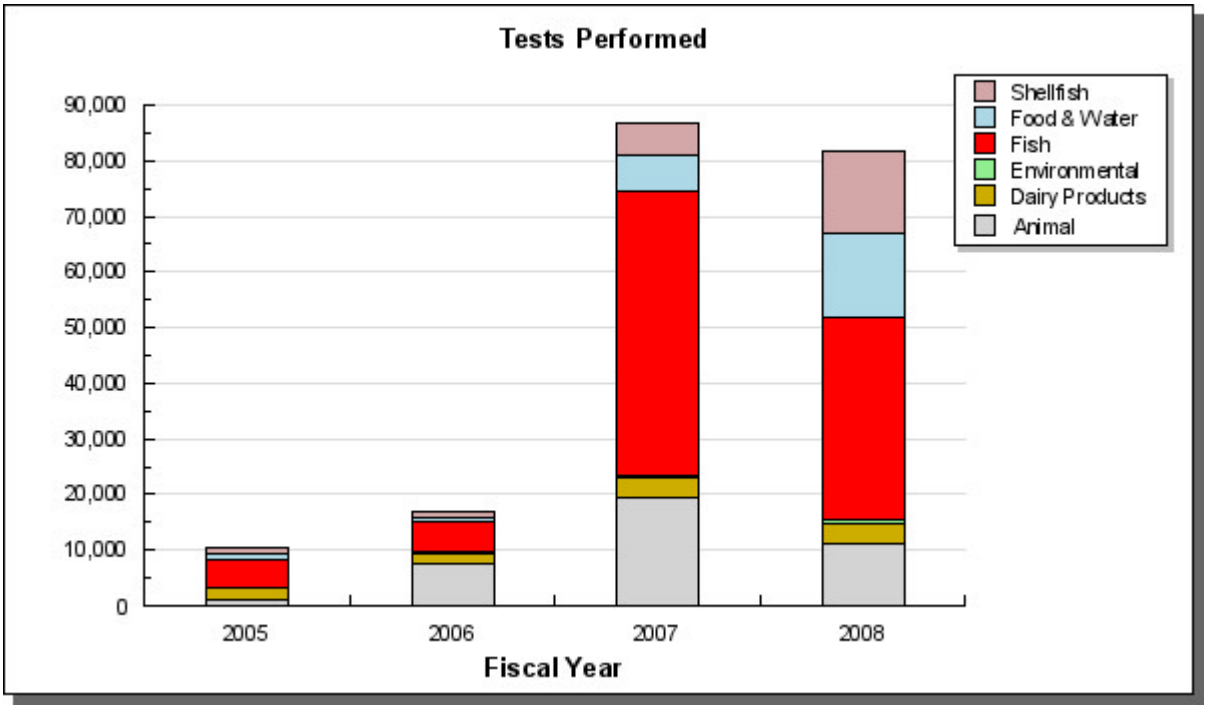
Analysis of results and challenges: The Food Safety and Sanitation Program has 24 full time equivalent field positions in ten offices statewide who undertake retail food inspections along with seafood and public facility sanitation inspections.

High risk facilities include establishments such as full service restaurants, nursing homes, and food processors. Medium risk facilities include quick service operations, schools not serving a highly-susceptible population, and retail food store operations. Low risk facilities include coffee stands, hot dog carts, and convenience store operations.

In FY 2008, there were 4,531 permitted permanent food establishments. During FY 2008, staff inspected 35% of those establishments. More specifically, they visited 41% of high risk retail food facilities (1271 facilities) and 33% of medium risk retail food facilities (1670 facilities). Low risk facilities (1670 facilities and 331 facilities not yet ranked) are only inspected when complaints are received or if the opportunity arises when in a community.

The 2005 Food and Drug Administration's Model Food Code, which is developed through the cooperation of industry and state and federal food regulators, recommends a minimum of three times a year for high risk facilities and twice a year for medium risk facilities. Low risk facilities should be inspected at least once a year.

Target #2: Increase the number and types of tests performed to support public health assessments.
Status #2: 81,721 tests were performed by the Environmental Health Laboratory in FY 2008, a decrease from previous year but an increase in the types of tests performed.



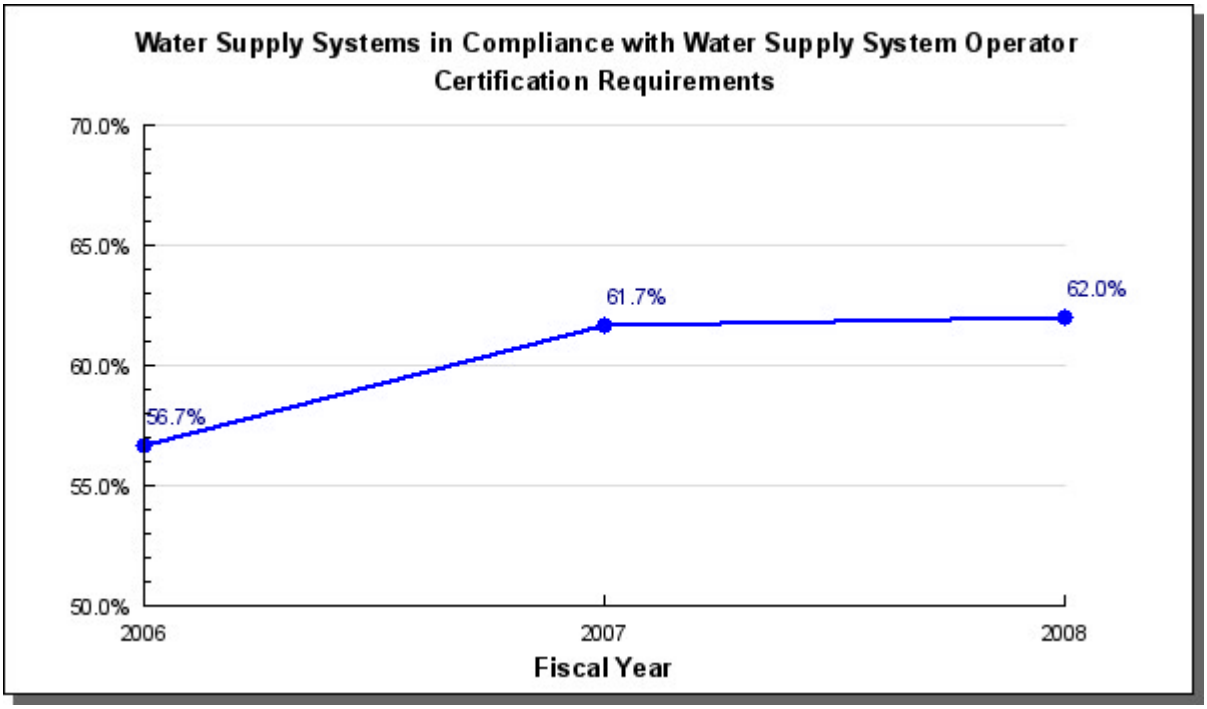
Methodology: All tests performed by the lab are logged and tracked from sample receipt through final testing and reporting.

Analysis of results and challenges: A new State Environmental Health Laboratory (EHL) became fully operational in January 2006. The state-of-the-art facility offers testing support on non-human samples, i.e. shellfish, food and water, fish, environmental, animal and dairy products. The purpose of the new facility was to bring increased capabilities and capacities to the State, which is clearly demonstrated in the statistical bar graphs from FY 2005 to FY 2008. Testing volume increased as the result of a myriad of factors: an International Standards Organization (ISO) based Quality Management Program requiring increased Quality Assurance and Quality Control (QA/QC) procedures, all new equipment requiring installation and validations, parallel testing for procedure validations, all new analysts training, and development of many new tests.

The changes are first evident in FY 2006, as animal testing increased with the start up of new molecular biology procedures for Avian Influenza and New Castle disease. In FY 2007, an agreement to perform Avian Influenza testing for the United States Department of Agriculture, Wildlife Service significantly increased animal testing. Also in FY 2007, fish tissue testing jumped 10-fold as new and more efficient multichannel chemistry analyzers provided testing support for state and federal projects. In FY 2007 and FY 2008, both food and dairy testing increased because of samples from new cheese and milk producers; shellfish and related testing grew as well. Organic fuel testing procedures were developed in FY 2008 for future demands; environmental testing increased from 22 to 693 tests, consisting of solely validation and developmental testing. The decrease in animal testing in FY 2008 is the result of a reduction in Avian Influenza samples submitted by State and Federal agencies as the sampling plan for Avian Influenza surveillance was changed; a similar decline in fish testing was the result of reduced Federal funding for analysis of non-salmon fish species in the Fish Monitoring Program.

Target #3: 2% annual increase in the number of regulated systems that comply with water supply system operator certification requirements.

Status #3: The operator certification program has seen a 5% increase in two years for the number of regulated systems that comply with water supply system operator certification requirements.



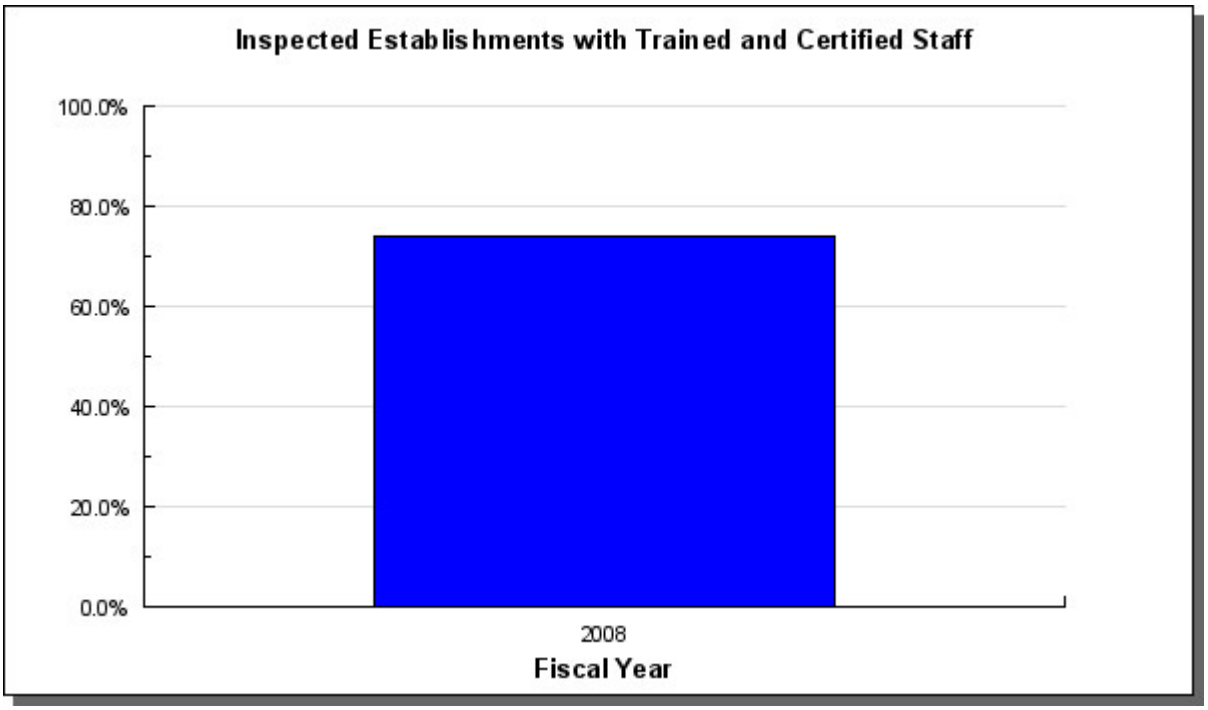
Methodology: The number of water supply systems that employ an operator certified at the correct level is divided by the total number of water supply systems that are subject to this requirement. This calculation yields a decimal, which is multiplied by 100 to arrive at a percentage of water supply systems that are in compliance with this requirement. In FY 08, 396 out of 639 systems or 62% were in compliance with this requirement.

Analysis of results and challenges: Water system operators are responsible for safeguarding public health. Certification validates that operators have the qualifications necessary to meet this responsibility. The State's Operator Certification (OC) program classifies water systems based on system size and complexity and determines whether operators have experience and knowledge commensurate with the system's classification. In order to assist operators with achieving certification, the OC program offers training and administers examinations.

Although the OC program oversees certification in water treatment, water distribution, wastewater treatment and wastewater collection, this measure is limited to drinking water supply system certification as it is related most directly to public health. This measure also excludes systems with less than 25 users or systems where users obtain water on a house by house basis (private wells or rain catchments) since these systems are not subject to operator certification requirements.

B3: Strategy - Enforce Safe Sanitary Practices.

Target #1: 100% of inspected permitted retail food establishments are found to have staff with required food safety training and certification.
Status #1: Approximately 75% of inspected permitted retail food establishments were found during inspection to have staff meeting food safety training and certification requirements.



Methodology: Data Collection began January 1, 2008; therefore this data only represents 7 months of the year. The total number of inspected establishments without either items 1 - Certified Food Protection manager, 2 - Person in Charge or, 3 - Food Worker Cards for all workers marked out as reported in Food Safety and Sanitation Program's "Digital Health Department" database. Calculated by dividing the number of establishments with safety training and certification by the number of inspected permitted establishments, as reported in the Food Safety and Sanitation Program's DHD database.

Analysis of results and challenges: The requirement for a workforce trained in food safety was established in the December 28, 2006 amendments to the Alaska Food Code. The requirement recognizes that primary responsibility for food safety lies with the food establishment which is procuring, storing, preparing and serving food on a daily basis. All food handlers must have basic food worker training and hold an Alaska Food Worker Card issued by the Food Safety and Sanitation Program. On-line training and testing is provided by the Food Safety and Sanitation Program. In addition, each establishment must have at least one Certified Food Protection Manager credentialed by a third party who is knowledgeable about food safety management practices and systems.

The program has done an aggressive industry education campaign and waived state food worker testing fees through December 2008 to encourage training. The program's online testing program is serving as a model for other food safety programs statewide. Achieving a 75% compliance rate in less than two years, with only a partial year of data collection is a measure of the program's success in implementing the new requirement.

Key Department Challenges

- Work with the Alaska Climate Change Sub-Cabinet to develop and implement a climate change strategy.
- Assume and implement primacy for the federal wastewater discharge permitting (NPDES) program.
- Implement the cruise ship Ocean Ranger program and other oversight measures as called for by ballot initiative.
- Respond to threats to our ocean resources and health posed by mercury and other persistent pollutants.

- Work with federal agencies to assure a viable and protective mine permitting framework.
- Optimize Alaska's food and seafood safety system.
- Address the health threat posed by airborne particulates in both urban and rural settings.
- Respond to risks associated with ships transiting the Aleutian Islands and plying other remote routes off Alaska's coast.
- Evaluate and improve policies that apply to development of Alaska's outer continental shelf.
- Complete a comprehensive assessment of the condition of, and risks posed by Alaska's oil and gas infrastructure, including identifying and implementing measures to mitigate greatest risks.
- Prioritize and clean up state-owned contaminated properties.
- Increase opportunity for public input and feedback on departmental directions and performance.
- Improve public access to DEC staff and decision making.
- Implement our mission in rural Alaska for greatest positive effect recognizing the unique conditions and challenges confronting our villages.
- Find and implement ways to better serve the public.
- Improve employee retention.
- Project and meet workforce demands and other agency resource needs.
- Simplify rules for lower risk activities.
- Identify and eliminate obsolete laws and other unnecessary requirements and processes.
- Use program structures to direct resources to areas of greatest risks and promise.
- Demonstrate progress.

Significant Changes in Results to be Delivered in FY2010

- Working with the Alaska Climate Change Sub-Cabinet complete a draft climate change strategy for the Governor's consideration.
- Successfully complete the first year of transition from the federal wastewater discharge permitting (NPDES) program to the state program.
- Working with partners, hold an international conference on the threats posed to our ocean resources and health posed by mercury and other persistent pollutants.
- Working with federal agencies, complete a viable and protective mine permitting framework.
- Implement changes to Alaska's food and seafood safety system that provide for greater public confidence in the safety of food provided to consumers.
- Complete plans to address sources of fine particulate matter where concentrations exceed air quality standards in Juneau and Fairbanks.
- Working with the U.S. Coast Guard and others, complete an assessment of the risks associated with ships transiting the Aleutian Islands and plying other remote routes off Alaska's coast.
- Complete the first phase of a comprehensive assessment of the condition of, and risks posed by Alaska's oil and gas infrastructure, including identifying and implementing measures to mitigate greatest risks.
- Clean up highest priority state-owned contaminated properties.

- Increase opportunity for public input and feedback on departmental directions and performance.
- Improve public access to DEC staff and decision making.
- Implement our mission in rural Alaska for greatest positive effect recognizing the unique conditions and challenges confronting our villages.

Major Department Accomplishments in 2008

The department was successful in working with interested stakeholder work groups and the public on the following major state policy issues:

Climate Change

The Climate Change Sub-Cabinet's Strategy is to include recommendations in three broad areas: building scientific knowledge, developing appropriate policies to protect and prepare for impacts, and assessing opportunities for reducing greenhouse gas emissions. The general approach adopted by the Sub-Cabinet has been to create advisory and technical groups, asking them to analyze mitigation and adaptation strategies, identify research needs and to forge potential recommendations for the Sub-Cabinet's consideration in assembling an overall strategy.

A high priority of the Sub-Cabinet is giving immediate attention to communities most at risk from coastal erosion and flooding. A workgroup comprised of federal, state and local representatives developed a list of actions to be taken over the next 12 months to protect the most at-risk communities. The Sub-Cabinet is also developing recommendations for other Alaska communities that will be impacted as a result of climate change. In developing these recommendations, the Sub-Cabinet will continue to look for co-benefits such as lowering the cost of energy and reducing long-term maintenance costs. Additionally, the Sub-Cabinet will be looking at how to leverage federal dollars, and in all instances spend public monies wisely.

Over one hundred Alaskans are now serving on various advisory and technical committees providing recommendations to the Sub-cabinet. The draft strategy will be available in late 2009 for public comment before being submitted to the Governor for approval.

NPDES Primacy

In FY 2008, EPA approved DEC's application to assume primacy for the Clean Water Act National Pollutant Discharge Elimination System (NPDES) wastewater permitting program. That approval triggered a three-year transition process with responsibility for different types of permits transferred from EPA to DEC one year at a time in accordance with a detailed schedule.

Environmental Quality Gains

Over 99% of new oil and hazardous substance spills in FY 2008 were cleaned up or placed in low-risk in monitoring status. 312 contaminated sites were closed. Approximately 39% of polluted water bodies had active stewardship, protection and restoration activities. 54% of environmental crimes that took place in FY 2008 were successfully investigated and resolved within the same fiscal year.

Permitting

The department continued its commitment to strengthen water and air permitting. In FY 2008 DEC:

- Issued 5 Clean Water Act Section 401 certifications, for 100% of the EPA-issued NPDES individual permits.
- Issued 39 authorizations to discharge wastewater under EPA general permits.

- Issued or reissued 4 state wastewater discharge permits.
- Issued 43 authorizations to discharge wastewater under state-issued general permits.
- Issued 1 major air construction permit.
- Issued 25 minor air construction permits.
- Issued 3 administrative amendments for new industrial stationary sources and modifications to existing sources.
- Issued a new general permit for cruise ship wastewater discharges as required by the 2006 citizen ballot initiative.

Cruise Ship / Ocean Ranger Program

During the 2007 cruise ship season DEC conducted a limited pilot program approach and used a contractor to conduct on-board vessel observations using environmental professionals and U.S. Coast Guard licensed marine engineers. The contractor helped lay the groundwork for the full ocean ranger program. The 2007 season was the first season that the required vessel position tracking system was implemented. During the 2008 cruise ship season, DEC implemented a full Ocean Ranger program on large cruise ships. Ocean Rangers rode approximately 89% of voyages while a ship was in Alaska waters. The other vessel voyages were covered using in-port inspections.

Effective Food Safety Statewide

In FY 2008 the Department detained over 56,000 pounds of unsafe dairy, seafood and retail foods. DEC participated in 28 food recall events to remove unsafe food from stores and to advise the public of unsafe products that may have been purchased previously.

Prioritization of Agency Programs

(Statutory Reference AS 37.07.050(a)(13))

As part of preparing the FY 10 agency budget request, each division director was instructed to prioritize his or her program and submit the results to the Commissioner's Office. The Commissioner formed a group of senior management staff to review the divisions' priorities and convert them into departmental priorities. Program priorities were listed using the department's performance results for protecting the environment and protecting Alaskans from unsafe sanitary practices as the primary ranking criteria. The priorities thus established for FY 10 are shown below.

1. Commissioner's Office
2. Finance/Budget/Procurement
3. Information Services
4. Air Permitting Program
5. Air Non-Point Mobile Sources and Monitoring Program
6. Drinking Water Program
7. Alaska Pollutant Discharge Elimination System Program
8. Food Safety and Sanitation
9. Water Quality Standards and Monitoring Program
10. Industry Preparedness Program
11. Office of the State Veterinarian
12. Prevention and Emergency Response
13. Climate Change
14. Environmental Health Laboratory
15. Contaminated Sites Program
16. Pesticides Program
17. Solid Waste Program
18. Operator Training and Certification Program
19. Environmental Crimes Unit
20. Remote Maintenance Worker Program
21. Municipal Grants and Loan Program
22. Village Safe Water Program
23. Response Fund Administration
24. Cruise Ship Program

Contact Information

Commissioner: Larry Hartig
Phone: (907) 465-5066
Fax: (907) 465-5070
E-mail: dec.commissioner@alaska.gov

Administrative Services Director: Mike Maher
Phone: (907) 465-5256
Fax: (907) 465-5070
E-mail: Mike.Maher@alaska.gov

Department Budget Summary by RDU

All dollars shown in thousands

	FY2008 Actuals				FY2009 Management Plan				FY2010 Governor			
	General Funds	Federal Funds	Other Funds	Total Funds	General Funds	Federal Funds	Other Funds	Total Funds	General Funds	Federal Funds	Other Funds	Total Funds
Formula Expenditures												
None.												
Non-Formula Expenditures												
Administration	2,721.6	1,797.8	4,546.0	9,065.4	2,935.4	1,890.7	3,002.5	7,828.6	2,766.8	1,911.8	3,036.7	7,715.3
DEC Bldgs Maint & Operations	606.8	0.0	0.0	606.8	618.8	0.0	55.7	674.5	507.8	0.0	0.7	508.5
Environmental Health	6,052.1	4,749.4	2,918.9	13,720.4	6,372.0	6,156.6	2,831.4	15,360.0	6,515.8	6,156.6	2,865.8	15,538.2
Air Quality	1,595.3	1,049.2	4,103.8	6,748.3	1,677.7	1,748.6	6,019.8	9,446.1	1,881.6	1,759.6	6,064.5	9,705.7
Spill Prevention and Response	482.5	2,961.6	12,557.2	16,001.3	635.0	3,950.5	12,743.9	17,329.4	638.9	3,980.7	12,904.1	17,523.7
Water	6,832.0	5,856.6	6,093.4	18,782.0	6,763.5	7,650.4	8,433.5	22,847.4	6,829.6	7,688.9	8,625.1	23,143.6
Totals	**18,290.3**	**16,414.6**	**30,219.3**	**64,924.2**	**19,002.4**	**21,396.8**	**33,086.8**	**73,486.0**	**19,140.5**	**21,497.6**	**33,496.9**	**74,135.0**

Funding Source Summary

All dollars in thousands

Funding Sources	FY2008 Actuals	FY2009 Management Plan	FY2010 Governor
1002 Federal Receipts	16,414.6	21,396.8	21,497.6
1003 General Fund Match	3,644.4	3,976.6	4,014.6
1004 General Fund Receipts	13,096.7	13,426.7	13,499.8
1005 General Fund/Program Receipts	1,549.2	1,599.1	1,626.1
1007 Inter-Agency Receipts	3,245.7	1,463.2	1,567.1
1018 Exxon Valdez Oil Spill Settlement	5.2	96.9	96.9
1052 Oil/Hazardous Response Fund	13,592.7	13,922.3	14,094.9
1061 Capital Improvement Project Receipts	3,190.4	4,061.5	4,105.7
1075 Alaska Clean Water Loan Fund	53.5	66.7	67.3
1093 Clean Air Protection Fund	2,747.1	4,232.4	4,264.0
1108 Statutory Designated Program Receipts	52.4	225.3	225.3
1156 Receipt Supported Services	3,438.8	3,829.5	3,874.9
1166 Commercial Passenger Vessel Environmental Compliance Fund	3,893.5	1,150.8	1,159.7
1205 Berth Fees for the Ocean Ranger Program		4,038.2	4,041.1
Totals	**64,924.2**	**73,486.0**	**74,135.0**

Position Summary

Funding Sources	FY2009 Management Plan	FY2010 Governor
Permanent Full Time	531	532
Permanent Part Time	1	1
Non Permanent	5	5
Totals	**537**	**538**

FY2010 Capital Budget Request

Project Title	General Funds	Federal Funds	Other Funds	Total Funds
Oil and Hazardous Substance First Responder Equipment and Preparedness	0	0	750,000	750,000
Statewide Contaminated Sites Cleanup	0	0	5,000,000	5,000,000
Village Safe Water and Wastewater Infrastructure Projects	39,041,600	52,125,000	500,000	91,666,600
Municipal Water, Sewage, and Solid Waste Facilities Grants (AS46.03.030)	0	0	23,189,396	23,189,396
Department Total	**39,041,600**	**52,125,000**	**29,439,396**	**120,605,996**

This is an appropriation level summary only. For allocations and the full project details see the capital budget.

Summary of Department Budget Changes by RDU

From FY2009 Management Plan to FY2010 Governor

All dollars shown in thousands

	General Funds	Federal Funds	Other Funds	Total Funds
FY2009 Management Plan	**19,002.4**	**21,396.8**	**33,086.8**	**73,486.0**
Adjustments which will continue current level of service:				
-Administration	-168.6	21.1	34.2	-113.3
-DEC Bldgs Maint & Operations	-111.0	0.0	0.0	-111.0
-Environmental Health	143.8	0.0	35.0	178.8
-Air Quality	19.9	11.0	44.7	75.6
-Spill Prevention and Response	3.9	30.2	160.2	194.3
-Water	66.1	38.5	46.6	151.2
Proposed budget decreases:				
-DEC Bldgs Maint & Operations	0.0	0.0	-55.0	-55.0
-Environmental Health	0.0	0.0	-0.6	-0.6
Proposed budget increases:				
-Air Quality	184.0	0.0	0.0	184.0
-Water	0.0	0.0	145.0	145.0
FY2010 Governor	**19,140.5**	**21,497.6**	**33,496.9**	**74,135.0**